

RESOLUTION
HERITAGE PLACE HOMEOWNER'S ASSOCIATION

PURPOSE: To adopt rules and regulations regarding the use or operation of Drones within the Heritage Place community.

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado law.

EFFECTIVE

DATE: February 10, 2016

RESOLUTION: The Association hereby provides notice of its adoption of the following rules and regulations concerning the use or operation of Drones within the community:

1. Definitions:

“Drone” is an unmanned aircraft, which means the aircraft is operated without the possibility of direct human intervention from within or on the aircraft.

“Model Drone” means any unmanned aircraft that is 1) capable of sustained flight in the atmosphere, 2) flown within visual line of sight of the person operating the aircraft, and 3) flown for hobby or recreational purposes only.


2. Drones may not be used or operated within the community for any commercial purpose that would violate Article VI, Section (n) prohibiting business activities of any kind to be conducted in any building or in any portion of the property.
3. Drones may not be used or operated within the community for any unlawful purpose.
4. Model Drones are permitted provided that they meet the requirements and standards of the Federal Aviation Administration (FAA) and they are operated in compliance with the Association's rules and regulations set forth herein. However, the Association strongly encourages its residents to fly their Drones outside of the community at one of the local model aircraft clubs.
5. The use or operation of Model Drones in the Common Areas or on individual Lots must not violate the Association's governing documents, which includes, but is not limited to, ensuring the operation of the Model Drone does not create a nuisance or in any way endanger the health of or unreasonably disturb other residents within the community.
6. Nuisance is defined in the Association's Rules and Regulations, which is incorporated herein and amended to include the following:

- Flying a drone over other Owners' Lots in the community without permission;
 - Flying a drone at night or under weather conditions that substantially impair visibility;
 - Failing to follow the FAA's safety guidelines and any registration requirements; and
 - Flying a drone in violation of any federal, state or local laws.
7. Model Drones must be flown in accordance with the recommended FAA's safety guidelines for Model Aircraft operations at all times, which includes, but are not limited to:
- Flying below 400 feet and remaining clear of surrounding obstacles;
 - Keeping the aircraft within visual line of sight at all times;
 - Not flying near people;
 - Not interfering with manned aircraft;
 - Not flying a unmanned aircraft weighing more than 55lbs; and
 - Not flying your unmanned aircraft in a careless or reckless manner.
8. Nothing in this resolution prevents owners or residents from exercising their individual legal rights to take action against the operator of a Drone for unlawful conduct, including, but not limited to, stalking, trespass, invasion of privacy, or eavesdropping.

**PRESIDENT'S
AND
SECRETARY'S**

CERTIFICATION: The undersigned, respectively being the President and Secretary of the Heritage Place Homeowner's Association, a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on Feb 10, 2016 and in witness thereof, the undersigned have subscribed their names.

**HERITAGE PLACE HOMEOWNER'S
ASSOCIATION, a Colorado non-profit corporation**

By: 
President

ATTEST:

By: 
Secretary